IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 539 OF 2007

ALL INDIA TRADE UNION CONGRESS (AITUC) REPRESENTED BY GENERAL SECRETARY CHRISTOPHER FONSECA AND ANR ... Petitioners

Versus

STATE OF GOA THROUGH CHIEF SECRETARY AND 2 ORS., ... Respondents

Ms. Shanti Maria Fonseca,Advocate for the petitioner.
Mr. S.G.Desai,Sr. Advocate with Mr. Shivan Dessai,Advocate for the respondent Nos. 2 And 3.

Coram:- F.I. REBELLO &
N. A. BRITTO, JJ.

Date:- 20th November, 2007

P.C.

Heard the learned Counsel. In so far as prayer clause A and B are concerned, if the contention of the petitioners is that pursuant to the settlement the age of superannuation has been enhanced from 58 to 60 years, it will be open to them to move appropriate forum for breach of the settlement. On behalf of respondent Nos. 2 & 3 the learned Advocate points out that the petitioners are before the Labour Commissioner/certifying officer. In that light, this will not be a fit case to exercise our extra ordinary jurisdiction in so far as prayer clause (c) is concerned. It is open for the petitioner to pursue the matter before appropriate forum.

As far as the other prayer is concerned the learned Counsel for the respondent Nos. 2 & 3 makes a statement that there is a validly constituted board. The question therefore of directing for constituting the board does not arise.

With the above observations, petition is disposed of.

F.I. REBELLO, J.

N. A. BRITTO, J.

SMA